



ATTORNEY
DOCKET NO. 2166CIPCON

1FW 3622

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Steven M. Golden, et al)
SERIAL NO.: 09/490,362) Group No. 3622
FILED: 01/24/2000) Examiner: Alvarez, Raquel
FOR: Interactive Marketing Network)
and Process Using Electronic)
Certificates)

RESPONSE

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Terminal Disclaimer to obviate a double patenting rejection over prior patent US 5,761,648 for filing with the above-identified patent application.

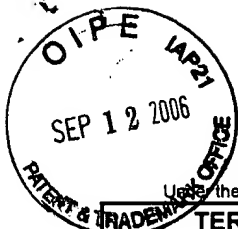
- ☒ The Commissioner is authorized to charge the terminal disclaimer fee in the amount of \$65.00 to Deposit Account 14-1131
- ☒ The commissioner is hereby authorized to charge any additional fees associated with this communication to our Deposit Account No. 14-1131.
- ☒ If an extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 14-1131.

The transmittal of amendment is respectfully submitted by the undersigned:

Thomas G. Scavone
Registration No. 26,801
NIRO, SCAVONE, HALLER & NIRO
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I certify that this document and enclosed fee is being deposited on September 7, 2006 with U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Signature of Person Mailing Correspondence
Hannah Martin



**TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)
2166CIPCON

In re Application of: Steven M. Golden, et al

Application No.: 09/490,362

Filed: January 24, 2000

For: INTERACTIVE MARKETING NETWORK AND PROCESS USING ELECTRONIC CERTIFICATES

The owner*, coolsavings.com, inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term **prior patent** No. 5,761,648 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:

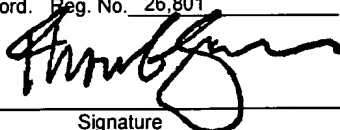
- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 26,801


Signature

9-6-06
Date

Thomas G. Scavone
Typed or printed name

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01 FC:2814 65.00 DA

(312) 236-0733
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.